



Attorney Docket No.: 313S-300710US
Client Reference No.: B03-072-2

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MONITORING METHOD AND/OR APPARATUS** the specification of which is attached hereto or x was filed on April 19, 2004 as Application No. 10/828,510, and was amended on (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/464,221	April 18, 2003

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Full Name: Stefan Zimmermann		
Residence & Citizenship:	City: Berkeley	State/Foreign Country: California	Country of Citizenship: Germany
Post Office Address:	Post Office Address: 1531 Walnut Street, Berkeley, CA 94709 <i>BEETHOVENSTR. 1 D - 23617 STOCKELSDORF</i>		
Full Name of Inventor 2:	Full Name: Boris Stoeber		
Residence & Citizenship:	City: Berkeley	State/Foreign Country: California	Country of Citizenship: Germany
Post Office Address:	Post Office Address: 2429 Ellsworth Street, Berkeley, CA 94704		
Full Name of Inventor 3:	Full Name: Dorian Liepmann		
Residence & Citizenship:	City: Lafayette	State/Foreign Country: California	Country of Citizenship: USA
Post Office Address:	Post Office Address: 3 Green Valley Street, Lafayette, CA 94549		
Full Name of Inventor 4:	Full Name: Albert Pisano		
Residence & Citizenship:	City: Danville	State/Foreign Country: California	Country of Citizenship: USA
Post Office Address:	Post Office Address: 50 Kendall Lane, Danville, CA 94526		

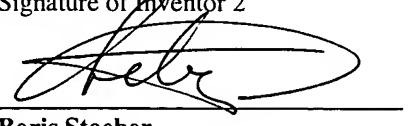
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

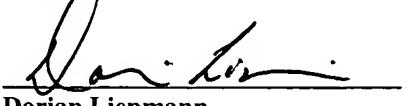
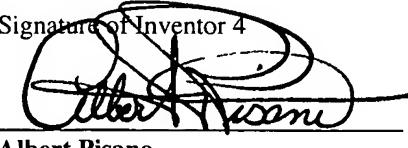
Signature of Inventor 1	Signature of Inventor 2
	
Stefan Zimmermann	Boris Stoeber
Date 08-03-04	Date

Signature of Inventor 3	Signature of Inventor 4
Dorian Liepmann	Albert Pisano
Date	Date

Full Name of Inventor 1:	Full Name: Stefan Zimmermann		
Residence & Citizenship:	City: Berkeley	State/Foreign Country: California	Country of Citizenship: Germany
Post Office Address:	1531 Walnut Street, Berkeley, CA 94709		
Full Name of Inventor 2:	Full Name: Boris Stoeber		
Residence & Citizenship:	City: Berkeley	State/Foreign Country: California	Country of Citizenship: Germany
Post Office Address:	2429 Ellsworth Street, Berkeley, CA 94704		
Full Name of Inventor 3:	Full Name: Dorian Liepmann		
Residence & Citizenship:	City: Lafayette	State/Foreign Country: California	Country of Citizenship: USA
Post Office Address:	3 Green Valley Street, Lafayette, CA 94549		
Full Name of Inventor 4:	Full Name: Albert Pisano		
Residence & Citizenship:	City: Danville	State/Foreign Country: California	Country of Citizenship: USA
Post Office Address:	50 Kendall Lane, Danville, CA 94526		

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Signature of Inventor 1	Signature of Inventor 2
	
Stefan Zimmermann	Boris Stoeber
Date	29 July 2004

Signature of Inventor 3	Signature of Inventor 4
	
Dorian Liepmann	Albert Pisano
Date 3 August, 2004	Date 23 July 2004

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PTO/SB/81 (09-03)
Approved for use through 11/30/2005. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/828,510
Filing Date	April 19, 2004
First Named Inventor	Stefan Zimmermann
Title	MONITORING METHOD AND/OR . . .
Art Unit	3736
Examiner Name	Unassigned
Attorney Docket Number	313S-300710US

I hereby appoint:

Practitioners associated with the Customer Number:

OR

Practitioner(s) named below:



22798

PATENT TRADEMARK OFFICE

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number:

OR

The address associated with Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Quine Intellectual Property Law Group, P.C.			
Address	P.O. Box 458			
Address				
City	Alameda	State	CA	Zip
Country	United States			
Telephone	(510) 337-7871	Fax	(510) 337-7877	

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name	Carol Mimura, Ph.D.		
Signature			
Date	7/12/04	Telephone	(510) 643-7201

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or Printed Name	Amelia Weintraub	
Signature		Date
	August 10, 2004	



STATEMENT UNDER 37 CFR 3.73(b)

Applicant: Stefan Zimmermann, et al.

Application No.: 10/828,510 Filed: April 19, 2004

Entitled: MONITORING METHOD AND/OR APPARATUS

The Regents of the University , a corporation
of California

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. [X] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached.

OR

B. [] A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel __, Frame __, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet

[X]Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

7/12/04

Date

Carol Mimura

Signature

Carol Mimura, Ph.D.

Typed or printed name

Director, Office of Technology
Licensing

Title

COPY

NOT FOR RECORDATION

ASSIGNMENT

U.C. Case No. B03-072-2
Attorney Docket No. 313S-300710US

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Stefan Zimmermann 2. Boris Stoeber 3. Dorian Liepmann 4. Albert Pisano

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 1111 Franklin Street, Twelfth Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

TITLE: MONITORING METHOD AND/OR APPARATUS

and which is found in

- (a) U.S. provisional application filed herewith and listing the above named persons as inventors
- (b) U.S. patent application filed herewith and listing the above named persons as inventors
- (c) U.S. application serial no. 10/828,510, filed on April 19, 2004
- (d) U.S. Patent No.: _____, issued _____

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

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NOT FOR RECORDATION

Assignment

Application No.: 10/828,510

Page 2

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

Signature of Inventor(s)

03 day of August, 2004

Stefan Zimmermann
Stefan Zimmermann

 day of , 2004

Boris Stoeber
Boris Stoeber

 day of , 2004

Dorian Liepmann
Dorian Liepmann

 day of , 2004

Albert Pisano
Albert Pisano

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NOT FOR RECORDATION

Assignment
Application No.: 10/828,510
Page 2

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

Signature of Inventor(s)

____ day of _____, 2004

29 day of July, 2004

3 day of August, 2004

23 day of JULY, 2004

Stefan Zimmermann



Boris Stoeber



Dorian Liepmann



Albert Pisano